

STORCH AMINI & MUNVES PC

A New York Professional Corporation

Avery Samet
Member NY Bar

e-mail: asamet@samlegal.com
direct: 212.497.8239

January 20, 2016

VIA ECF

The Honorable Andrew L. Carter, Jr.
United States District Court
Southern District of New York
500 Pearl Street, Room 725
New York, NY 10007

Re: Ames Dep't Stores, Inc. v. Lumbermens Mut. Casualty Co., (In re Ames Dep't Stores, Inc.), Civ. A. No. 12-8365 (ALC)

Dear Judge Carter:

We represent Ames Department Stores, Inc., the plaintiff and debtor in the above-referenced proceeding. We oppose the second request for an extension [Docket No. 22] sought by the Liquidator for Lumbermens Mutual Casualty Co. ("Lumbermens").

Although we are always cognizant of the need to be courteous to opposing counsel and parties, this matter has proceeded for very many years now and our client and creditor constituency are anxious that it be brought to a conclusion. Resolution of this single proceeding is the only thing preventing the closing of this 15-year old bankruptcy case.

The sum total of extensions requested by Lumbermens and consented to by Ames have added much more than a year to the proceedings already and have been requested in every single instance in this case. Your Honor has already granted a 25-day extension, although the rule only allows this Court to extend the time to file an objection for 21 days, upon cause shown. Fed. R. Bankr. P. 9033(c). There are no grounds for a further extension.

Second, a further week's extension for Lumbermens will cause Ames' papers to be due February 12. The undersigned, who will have principal responsibility for responding to Lumbermens' brief, will be away on a family vacation between February 4 (the day after the original due date for our papers) and February 11. Therefore granting this extension places an unfair burden on us to request further extensions that are objectionable to our clients.

Respectfully submitted,



Avery Samet

The Honorable Andrew L. Carter, Jr.
January 20, 2016
Page 2

cc: Mark Gamel, Esq. (via email)
Bijan Amini, Esq. (via email)
Timothy Karcher, Esq. (via email)
Scott Hazan, Esq. (via email)
Gregory Zipes, Esq. (via email)